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D.C. PRACTICE OF ALL OTHERS  
LIMITED TO FEDERAL COURTS  
AND AGENCIES

January 31, 2006

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window, MS PCT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Re: Entry into National Stage for:  
 Intl. Appl. No.: PCT/EP2004/008390  
 Intl. Filing Date: July 27, 2004  
 For: **Process for the Preparation of L-Threonine**  
 Inventor(s): Kruse, *et al.*  
 Atty. Dkt.: 7601/88007

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Application Data Sheet;
2. A copy of PCT/EP2004/008390 as filed on July 27, 2004, and naming as inventor(s):

Commissioner of Patents  
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Daniela Kruse  
Thomas Hermann  
Georg Thierbach  
Mechthild Rieping

3. Preliminary Amendment;
4. The marked-up copy of the Substitute Specification;
5. Submission of the Substitute Specification;
6. The Substitute Specification, comprising:  
  
37 pages of Specification (numbered as pages 1-37),  
5 pages of Claims (numbered as pages 38-44),  
a one-page Abstract (numbered as page 45), and  
15 pages of Sequence Listing (numbered separately as pages 1-15);
7. A 3.5 inch computer diskette containing a computer readable form of the Sequence Listing;
8. A copy of the PCT Request with a copy of Declaration executed by the inventors attached;
9. A copy of the PCT application, as published, with the International Search Report attached;
10. A copy of the Written Opinion of the International Searching Authority;
11. General Authorization for Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(3);
12. General Authorization to Charge Deposit Account;
13. A copy of PCT/IB/304, Notification Concerning Submission or Transmittal of the Priority Document;

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14. A copy of PCT/IB/308 Notice Informing the Applicant of the Communication of the International Application to the Designated Offices;
15. A copy of PCT/IB/371, Notification Relating to Declaration made under PCT Rule 4.17, confirming the receipt of the Declaration of Inventorship within the time limit under PCT rule 26ter; and
16. Two (2) return postcards.

This application represents U.S. national stage of international application PCT/EP2004/008390, which had an international filing date of July 27, 2004. The international application claims priority to German applications 103 35 253.8, filed on August 1, 2003; 10 2004 023 055.2, filed on May 11, 2004; and 10 2004 028 859.3, filed on June 15, 2004. In addition, the international application claims priority to United States provisional application 60/491,981, filed on August 4, 2003. The present application claims priority to these previously filed counterparts and incorporates them by reference.

In compliance with 37 C.F.R. § 1.821(f), Applicants' undersigned attorney hereby states that the content of the paper and computer readable copies of the Sequence Listing submitted herewith are the same.

**The Director is hereby authorized to charge the fees listed below to our Deposit Account No. 06-1135 under Order No. 7601/88007. The Director is also authorized to charge any fee deficiency with respect to this filing and any other fee required in connection with the present case, or credit any overpayment, to our Deposit Account No. 06-1135 under Order No. 7601/88007.**

10/566606  
IAP9 Rec'd PCT/PTO 31 JAN 2006

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### Fee Calculation

Applicant(s) calculate the filing fee as follows:

	Total		No. Extra	Rate	Fee
<b>Basic National Stage Filing Fee</b>					<b>\$ 300.00</b>
<b>National Stage Search Fee (Search Report prepared and provided to USPTO)</b>					<b>400.00</b>
<b>National Stage Examination Fee</b>					<b>200.00</b>
<b>Natl. Stage Application Size Fee</b>				<b>\$ 250.00</b>	
<b>Claims in Excess of 20</b>	<b>23</b>	<b>20 =</b>	<b>3</b>	<b>\$ 50.00</b>	<b>150.00</b>
<b>Independent Claims in Excess of 3</b>	<b>2</b>	<b>3 =</b>	<b>0</b>	<b>\$ 200.00</b>	<b>0.00</b>
<b>Multiple Dependent Claims Fee</b>				<b>\$ 360.00</b>	<b>0.00</b>
<b>TOTAL FEES DUE</b>					<b>\$ 1,050.00</b>

Correspondence in this case should be directed to Michael A. Sanzo at the address associated with Customer No.:

42798.

It is respectfully requested that the enclosed postpaid postcards be stamped with the serial number and the date the enclosed documents are received by the PTO and that they be returned as soon as possible.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

*Michael A. Sanzo*

Michael A. Sanzo  
Attorney for Applicants  
Registration No. 36,912

MAS:ct  
Enclosures

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Kruse, *et al.*

U.S. Natl. Phase of: PCT/EP2004/008390

Intl. Filing Date: July 27, 2004

Filed: herewith

Appl. No.: to be assigned

For: **Process for the Preparation of  
L-Threonine**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt.: 7601/88007

**Submission of Substitute Specification**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window, MS PCT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Submitted herewith is the Substitute Specification. Applicants hereby state that the amendments made to the Substitute Specification do not add new matter to the application, and request that the Substitute Specification be used in future prosecution.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By   
Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicants

Date January 30, 2006  
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